IN THE UNITED STATES DISTRICT COURT FOR WESTERN DISTRICT OF PENNSYLVANIA

FLEMING FITZGERALD & ASSOCIATES, et al,) CIVIL ACTION NO. 07-1596
Plaintiffs,)
V.)
U.S. SPECIALTY INSURANCE COMPANY,)))
Defendant and Third-Party Plaintiff,)))
V.)
ZURICH AMERICAN INSURANCE COMPANY and STEADFAST INSURANCE COMPANY,))))
Third-Party Defendants.)) Hon. Gary L. Lancaster

STIPULATION AND ORDERGRANTING EXTENSION AND WITHDRAWING AMENDED AND SUPPLEMENTAL EMERGENCY MOTION FOR EXTENSION

AND NOW, come plaintiffs and defendant, by their respective counsel, and hereby stipulate as follows:

- 1. Defendant USSIC shall answer the plaintiffs' motion for preliminary injunction (Exhibit B to Document 1) on or before January 2, 2008.
- 2. In consideration of the extension, USSIC hereby withdraws its amended and supplemental emergency motion for extension.
- 3. In all other aspects, the Court's order of December 11, 2007, and the dates contained therein, shall remain in full force and effect.

Respectfully submitted,

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- and -

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INC., PONOI RIVER COMPANY and
SHACKLETON INTERNATIONAL
LIMITED

It is so ordered this 21st day of December, 2007.

s/Gary L. Lancaster

Gary L. Lancaster, U.S. District Judge